

#8/A NE
Drawings

Inventor: Dale E. Koop
Serial No.: 09/934,356
Attny Dkt. No. 100698.0037US1

Art Unit: 3739
Examiner: Ahmed M. Farah



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231**

Inventor: **Dale E. Koop**
Serial No: **09/934,356**
Filed: **08/21/2001**
For: **Enhanced Noninvasive Collagen
Remodeling**

Examiner: **Ahmed M. Farah**
Art Unit: **3739**

Attorney Docket No.: **100698.0037US1**

RESPONSE TO OFFICE ACTION

The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

This paper responds to the Office Action dated October 03, 2002.

Claim Rejections – 35 U.S.C. § 112

The Office objected to claim 3 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, the applicant has amended claim 3 to the following.

3. (Amended) The method of Claim 1 wherein the energy is mechanical energy.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3

The Office objected to claim 1-3 as being anticipated by O'Donnell, Jr. (U.S. Patent 6106515). The applicant disagrees for the reasons stated below.

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1-2-03

3739



Practitioner's Docket No. 100698.0037US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dale Koop

Application No.: 09/934,356

Group No.: 3739

Filed: 08/21/2001

Examiner: A. Farah

For: Enhanced Non-invasive Collagen Remodeling

Box Non-Fee Amendment

Commissioner for Patents

Washington, D.C. 20231

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)


37 C.F.R. § 1.10*

G with sufficient postage as first class mail.

As "Express Mail Post Office to Addressee"
Mailing Label No. EV193158165US

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: 12/31/02

Erika Simpson

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	11	- 20	= 0	x \$ 9.00	= \$	0.00	
INDEP.	6	- 6	= 0	x \$ 42.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	


No additional fee for claims is required.

FEE DEFICIENCY

5. If additional extension and/or fee is required, charge Account No. 502191.

If additional fee for claims is required, charge Account No. 502191.

Date: 12/31/02


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